

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Dale Joseph Burke,)	
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
North Dakota Department of Correction)	Case No. 1:12-cv-131
and Rehabilitation, et. al.,)	
)	
Defendants.)	

The plaintiff, Dale Burke (“Burke”), is an inmate at the North Dakota State Penitentiary ("NDSP") in Bismarck North Dakota. On October 9, 2012, he filed a *pro se* complaint asserting sixty-one claims against Jason Bankston and eighteen other defendants.¹ On October 15, 2012, he filed a "supplemental complaint" asserting an additional seven claims.

On November 1, 2012, the plaintiff, Dale Joseph Burke (“Burke”), filed a “Motion to Add Entire Record of Bankston v. Chertoff 460 F. Supp. 2d 1074 (N.D. 2006), Held by the Clerk of Court in the Above Stated Jurisdiction.” (Docket No. 9) (errors in original).² He seeks to incorporate “said record in the above stated cause to be used as evidentiary purposes to impeach, show low moral character, and the lack of credibility for Jason Michael Bankston a defendant in this action and a plaintiff in the action which plaintiff moves the court to enter into this record.” (Id.) (errors in original).

¹ Burke’s pleadings asserts the following two claim against Bankston: (1) that pink shearing scissors Bankston carries on his person pose a safety risk to inmates and staff; and (2) that Bankston himself poses a safety to inmates and staff by virtue of his lack of education, experience, and training. (Docket No. 2).

² In Bankston v. Chertoff, 460 F. Supp. 2d 1074 (N.D. 2006), plaintiff asserted, inter alia, claims of wrongful termination and violations of the Whistleblower Protection Act.

Burke's motion (Docket No. 9) lacks merit and is therefore **DENIED**.

IT IS SO ORDERED.

Dated this 2nd day of November, 2012.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge